

MINUTES

MONTANA SENATE 58th LEGISLATURE - REGULAR SESSION

COMMITTEE ON AGRICULTURE, LIVESTOCK AND IRRIGATION

Call to Order: By **VICE CHAIRMAN DALE MAHLUM**, on February 17, 2003 at 3 P.M., in Room 422 Capitol.

ROLL CALL

Members Present:

Sen. Keith Bales, Chairman (R)
Sen. Dale Mahlum, Vice Chairman (R)
Sen. Ken (Kim) Hansen (D)
Sen. Sam Kitzenberg (R)
Sen. Walter McNutt (R)
Sen. Linda Nelson (D)
Sen. Gerald Pease (D)
Sen. Corey Stapleton (R)
Sen. Mike Taylor (R)
Sen. Joseph (Joe) Tropila (D)

Members Excused: None.

Members Absent: None.

Staff Present: Jennifer Stephens, Committee Secretary
Doug Sternberg, Legislative Branch

Please Note. These are summary minutes. Testimony and discussion are paraphrased and condensed.

Committee Business Summary:

Hearing & Date Posted: SB 383, 2/12/2003
Executive Action: SB 383

HEARING ON SB 383

Sponsor: SEN. KEITH BALES, SD 1, OTTER

Proponents: Barbara Broberg, Women Involved in Farm Economics (WIFE)
Sen. John Esp, SD 13, Big Timber
Michael Murphy, MT Water Resources Association
Steven Pilcher, MT Stock Growers Association
John Semple, MT Cattle Women

Opponents: None

Opening Statement by Sponsor:

SEN. KEITH BALES, SD 1, OTTER, said that SB 383 is a clarification bill. It makes sure that it is in statute that a practice that is going on can remain going on. The bill specifically deals with ditches and irrigation canals. In the past, he explained that it was always assumed that canals could stay open. The bill clarifies that irrigation districts have the right to go in and clean pipelines, ditches, and canals without a permit. SEN. BALES also explained a few amendments on the bill, EXHIBIT (ags35a01) .

Proponents' Testimony:

Barbara Broberg, Women Involved in Farm Economics (WIFE), supported SB 383.

Sen. John Esp, SD 13, Big Timber, said that SB 383 clarifies some issues that constituents in his area were concerned about.

Michael Murphy, MT Water Resources Association, said he thinks the clarification in the bill is appropriate.

Steven Pilcher, MT Stock Growers Association, wanted to remind everyone in the room that Montanans should be very proud of our water quality laws and also very respectful. He added the laws are very broad and have been in place since the late 1940s, long before any federal laws. He said that although irrigation systems are included in the Montana water quality laws, there has to be a recognition that the primary purpose of the irrigation systems is the delivery of water to crops. Because of this, he emphasized that certain maintenance practices must continue.

John Semple, MT Cattle Women, concurred with previous testimony.

Questions from Committee Members and Responses:

SEN. JOE TROPILA asked SEN. JOHN ESP to give an example of how the bill would clarify current water quality laws. SEN. ESP said the bill would come into play when someone needs to get water from a river or an irrigation canal.

Closing by Sponsor:

SEN. BALES closed on SB 383.

EXECUTIVE ACTION ON SB 383

Motion/Vote: SEN. TAYLOR moved that SB 383 BE AMENDED. Motion carried unanimously.

Motion/Vote: SEN. MAHLUM moved that SB 383 DO PASS AS AMENDED. Motion carried unanimously.

ADJOURNMENT

Adjournment: 3:15 P.M.

SEN. KEITH BALES, Chairman

JENNIFER STEPHENS, Secretary

KB/JS

EXHIBIT (ags35aad)